

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

**MINUTES - DETENTION HEARING - REVIEW/RECONSIDERATION OF BAIL / DETENTION ORDER -
NEBBIA HEARING**

2:21-cr-0207 TLN

Case No. 2:22-mj-00103-DUTY-1 CourtSmart CS 2/02/2022 Date: February 2, 2022

Present: The Honorable Rozella A. Oliver, U.S. Magistrate Judge

Donnamarie Luengo

Deputy Clerk

Katherynne Seiden (video)

Assistant U.S. Attorney

Mary Ann Deugseon Yi/Korean

Interpreter / Language

Jong Eun Lee (via telephone)
USA v.

Attorney Present for Defendant:

Fermin Vargas (video)

☒ Present ☒ Custody ☐ Bond ☐ Not present

☒ Present ☐ CJA ☐ Retd ☒ DFPD ☐ Not present

PROCEEDINGS: DETENTION HEARING

☐ **Contested detention hearing is held.**

FILED

Feb 02, 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

- ☐ Government's request for detention is: ☐ GRANTED ☐ DENIED ☐ WITHDRAWN ☐ CONTINUED
- ☐ Witnesses CST (see separate list). ☐ Exhibits Marked/Admitted (see separate list).
- ☐ Court orders that exhibits be returned to the respective counsel / party of record.
☐ See Receipt for Release of Exhibits to Counsel.
- ☐ Counsel stipulation to bail.
- ☐ Court finds presumption under 18 USC 3142e _____ has not been rebutted.
- ☐ Court ORDERS DEFENDANT PERMANENTLY DETAINED. See separate detention order.
- ☐ Court finds presumption under 18 USC 3142e _____ has been rebutted.
- ☐ Court sets bail at: \$ _____. ☐ SEE ATTACHED COPY OF CR-01 BOND FORM FOR CONDITIONS OF RELEASE.
- ☐ Court orders that defendant be detained for a period not to exceed ten (10) Court days. See separate order re temporary detention.
- ☐ Court orders further detention / bail hearing to be set on _____ at _____ ☐ a.m. / ☐ p.m. in Courtroom _____ before Judge _____.
- ☐ Court orders case continued to _____ at _____ ☐ a.m. / ☐ p.m. for _____, in Courtroom _____ before Judge _____.
- ☐ Release Order Issued - Release No. _____.
- ☐ Other: _____

**PROCEEDINGS: ☒ REVIEW / RECONSIDERATION OF BAIL / DETENTION ORDER - BOND HEARING
☐ NEBBIA HEARING**

Hearing on ☒ Plaintiff's ☐ Defendant's request for review / reconsideration of bail / detention order had and request is:
☐ GRANTED ☒ DENIED

Court ORDERS bail as to the above-named defendant ☐ modified to ☐ set at: \$ _____
☐ SEE ATTACHED COPY OF CR-01 BOND FORM FOR CONDITIONS OF RELEASE.

- ☐ Bond previously set is ordered vacated.
- ☐ Court orders defendant permanently detained. See separate order.
- ☒ Court denies request for bail, defendant shall remain permanently detained as previously ordered.
- ☐ Witnesses CST (see separate list). ☐ Exhibits Marked / Admitted (see separate list).
- ☐ Court orders that exhibits be returned to the respective counsel / party of record.
☐ See Receipt for Release of Exhibits to Counsel.
- ☐ Case continued to _____ at _____ ☐ a.m. / ☐ p.m. for _____ before Judge _____ in Courtroom _____.
- ☐ Nebbia conditions are satisfied and the Government approves the bond package as presented to the Court.
- ☒ Other: Defendant to be removed to the charging district as previously authorized on 1/10/2022 (Dkt 13).

Release Order Issued - Release No. _____ : 14

Deputy Clerk Initials DL

CLOSED,SEALED

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CRIMINAL DOCKET FOR CASE #: 2:22-mj-00103-DUTY All Defendants *SEALED*
Internal Use Only**

Case title: USA v. Lee

Date Filed: 01/10/2022

Other court case number: 21CR207 Eastern District of
California

Date Terminated: 01/10/2022

Assigned to: Duty Magistrate Judge**Defendant (1)**

Jong Eun Lee
REG 81235-509
TERMINATED: 01/10/2022

represented by **Fermin C. Vargas**
Federal Public Defenders Office
321 East 2nd Street
Los Angeles, CA 90012-4202
213-894-2854
Fax: 213-894-0081
Email: fermin_vargas@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

Defendant in violation of 18:1349,1344

Disposition

Defendant held to answer to the Eastern
District of California at Sacramento

Plaintiff**USA**represented by **Assistant 2241-2255 US Attorney LA-CR**

AUSA - Office of US Attorney

Criminal Division - US Courthouse





312 North Spring Street



Los Angeles, CA 90012-4700

213-894-2434

Email: USACAC.Criminal@usdoj.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney*

Date Filed	#	Docket Text
01/10/2022	<u>1</u>	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Jong Eun Lee, originating in the Eastern District of California. Defendant charged in violation of: 18:1349,1344. Signed by agent Chris Fitzpatrice, IRS, Special Agent. USA. (mhe) (Entered: 01/11/2022)
01/10/2022		(Court only) ***Defendant Jong Eun Lee ARRESTED (Rule 5(c)(3)) (mhe) (Entered: 01/11/2022)
01/10/2022	<u>2</u>	REPORT COMMENCING CRIMINAL ACTION as to Defendant Jong Eun Lee; defendants Year of Birth: 1973; date of arrest: 1/10/2022 (mhe) (Entered: 01/11/2022)
01/10/2022	<u>3</u>	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Jong Eun Lee (mhe) (Entered: 01/11/2022)
01/10/2022		(Court only) Time in Court recorded for Detention Hearing as to Defendant Jong Eun Lee (mhe) (Entered: 01/11/2022)
01/10/2022	 <u>4</u>	SEALED MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Rozella A. Oliver as to Defendant Jong Eun Lee, granting <u>3</u> REQUEST for Detention as to Jong Eun Lee (1); Contested detention hearing held. Defendant arraigned and states true name is Attorney: Fermin C. Vargas for Jong Eun Lee, Deputy Federal Public Defender, present. Court orders defendant Permanently detained. Defendant remanded to the custody or currently in the custody of the US Marshal. Court orders defendant held to answer to Eastern District of California. Warrant of Removal and final commitment to issue. (KOREAN) INTERPRETER Required as to Defendant Jong Eun Lee Court Smart: CS 1/10/22. (mhe) (Entered: 01/11/2022)
01/10/2022	 <u>5</u>	SEALED Defendant Jong Eun Lee arrested on warrant issued by the USDC Eastern District of California at Sacramento. (Attachments: # <u>1</u> Charging Documents)(mhe) (Entered: 01/11/2022)
01/10/2022	<u>6</u>	ORDER OF DETENTION by Magistrate Judge Rozella A. Oliver as to Defendant Jong Eun Lee, (mhe) (Entered: 01/11/2022)
01/10/2022	<u>7</u>	CONSENT to Video Conference/Telephonic Conference filed by Defendant Jong Eun Lee. (mhe) (Entered: 01/11/2022)

01/10/2022	<u>8</u>	ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Defendant Jong Eun Lee. (mhe) (Entered: 01/11/2022)
01/10/2022	 <u>9</u>	FINANCIAL AFFIDAVIT filed as to Defendant Jong Eun Lee. (Not for Public View pursuant to the E-Government Act of 2002) (mhe) (Entered: 01/11/2022)
01/10/2022	<u>10</u>	ASSERTION OF FIFTH AND SIXTH AMENDMENT RIGHTS filed by Defendant Jong Eun Lee (mhe) (Entered: 01/11/2022)
01/10/2022	<u>11</u>	WAIVER OF RIGHTS approved by Magistrate Judge Rozella A. Oliver as to Defendant Jong Eun Lee. (mhe) (Entered: 01/11/2022)
01/10/2022	<u>12</u>	DECLARATION RE: PASSPORT filed by Defendant Jong Eun Lee, declaring that I have been issued a passport or other travel document(s), but they are not currently in my possession. I will surrender any passport or other travel document(s) issued to me, to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case. (mhe) (Entered: 01/11/2022)
01/10/2022	<u>13</u>	WARRANT OF REMOVAL AND COMMITMENT by Magistrate Judge Rozella A. Oliver that Defendant Jong Eun Lee be removed to the Eastern District of California (mhe) (Entered: 01/11/2022)
01/10/2022		(Court only) ***Magistrate Case Terminated (mhe) (Entered: 01/11/2022)
01/10/2022		Notice to Eastern District of California of a Rule 5 or Rule 32 Initial Appearance as to Defendant Jong Eun Lee. Your case number is: 21CR207. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: <u>13</u> Warrant of Removal and Commitment to Another District. If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (mhe) (Entered: 01/11/2022)
01/14/2022	<u>14</u>	APPLICATION FOR REVIEW/RECONSIDERATION OF ORDER SETTING CONDITIONS OF RELEASE/DETENTION Filed by Defendant Jong Eun Lee. (mhe) (Entered: 01/18/2022)
01/18/2022	<u>15</u>	NOTIFICATION RE: APPLICATION FOR REVIEW/RECONSIDERATION OF ORDER SETTING CONDITIONS OF RELEASE/DETENTION <u>14</u> filed by Defendant Jong Eun Lee. The Request for VTC hearing was APPROVED. Interpreter required: Korean.(Application set for VTC hearing on 2/2/2022 at 10:00 AM before Magistrate Judge Rozella A. Oliver.) (dml) (Entered: 01/18/2022)
02/02/2022	<u>16</u>	MINUTES OF BOND Hearing held before Magistrate Judge Rozella A. Oliver as to Defendant Jong Eun Lee, Defendant to be removed to the charging district as previously authorized on 1/10/22 Court Smart: CS 2/2/22. (mhe) (Entered: 02/02/2022)